

REMARKS

Claims 1-14 are currently pending in the present application. Claims 11-14 have been added. No new matter is added by the amendments.

Claim 9 was rejected under 35 U.S.C. 112, second paragraph based on the phrase "in such a manner." Applications respectfully disagree that this language is indefinite but in the interest of advancing the prosecution claim 9 has been amended to remove this language.

Claims 1 and 2 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,951,475 to Gueziec. Claims 1 and 2 include the steps of determining a current position of the object in the body volume based on the first two-dimensional image; associating the current position of the object with the three-dimensional representation; determining imaging parameters which are optimum in respect of the position of the object based on the three-dimensional representation; and controlling movement of an imaging system based on the imaging parameters. Gueziec does not disclose or suggest these features. Gueziec is directed to an imaging system that generates a three dimensional model of a surgical tissue of interest, obtains two dimensional images of the surgical tissue of interest with radio-opaque markers for associating an image coordinate system with a robot coordinate system, detects the presence of contours of the surgical tissue of interest in each image, derives bundles of three dimensional lines that pass through the detected contours, and matches three dimensional points on three dimensional silhouette curves obtained from the three dimensional model.

Claims 3-10 were rejected under 35 U.S.C. 103 as being obvious over Gueziec over U.S. Patent 6,317,621 to Graumann. The Office Action concedes that Gueziec fails to disclose or suggest the feature of controlling the imaging system, but contends that it would have been obvious to modify Gueziec based on Graumann in order to form images from different projection direction. Applicant respectfully asserts that the combination of

art does not disclose or suggest the feature of claims 3-10 of determining a current position of the object in the body volume based on a first two-dimensional image of the body volume, determining imaging parameters which are optimum in respect of a current position of the object based on the three-dimensional representation, and controlling movement of the imaging system based on the imaging parameters to generate a second two-dimensional image. As described above, Gueziec is directed to an imaging system that generates a three dimensional model of a surgical tissue of interest, obtains two dimensional images of the surgical tissue of interest with radio-opaque markers for associating an image coordinate system with a robot coordinate system, detects the presence of contours of the surgical tissue of interest in each image, derives bundles of three dimensional lines that pass through the detected contours, and matches three dimensional points on three dimensional silhouette curves obtained from the three dimensional model, but does not disclose or suggest these features of claims 3-10. Graumann utilizes markers attached to the patient's body (e.g., the head) which appear in three-dimensional data as well as the two-dimensional images. (Gueziec col. 4, lines 36-46). The markers can then be compared with each other from the different sets of image and data. (Gueziec Abstract). As such, Gueziec also does not disclose or suggest these features of claims 3-10.

Claims 11-14 depend from claims 1 and 3, respectively, and are also patentable over the cited art or combination of art.

In view of the foregoing, Applicants respectfully submit that the specification, the drawings and all claims presented in this application are currently in condition for allowance. Accordingly, Applicants respectfully request favorable consideration and that this application be passed to allowance.

Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned to discuss the same.

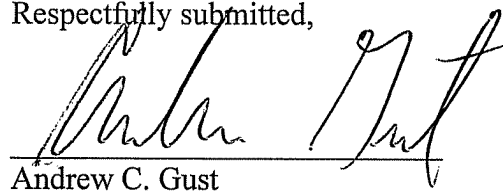
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